

# EXHIBIT G

to Plaintiff's  
Motion for Sanctions

**G**

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JAMIE LEONARD, )  
 )  
Plaintiff, )  
 ) Cause No. 4:19-CV-00927-RLW  
vs. )  
 )  
ST. CHARLES COUNTY, ET AL., )  
 )  
Defendants. )

DEPOSITION BY ZOOM OF DANIEL KEEN  
TAKEN BY GARY K. BURGER, JR., ESQ.  
ON BEHALF OF THE PLAINTIFF  
APRIL 1, 2021

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REPORTED BY KAREN M. RUSSO  
CERTIFIED COURT REPORTER MO No. 628  
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DEPOSITION OF DANIEL KEEN, produced, sworn, and  
examined remotely on April 1, 2021, before Karen M.  
Russo, Certified Shorthand Reporter within and for the  
State of Missouri, in a certain cause now pending in the  
United States District Court, Eastern District of  
Missouri, Eastern Division, between Jamie Leonard,  
Plaintiff, vs. St. Charles County, et al., Defendants.

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E X H I B I T S

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1 where it is. Oh, yeah, you have a whole debrief section  
2 in this, right?

3 A. Yes, sir.

4 Q. And that's what -- why do you do a debrief?  
5 Why do you look into it after?

6 A. We do a debrief to make sure there is no staff  
7 injuries, no inmate injuries, all the equipment is  
8 working fine, and then what could we have done better.

9 Q. Now, there's a section here right at the top,  
10 inform the video camera operator to say things. Tell me  
11 what that means.

12 A. So at the top the video recorder, whoever is in  
13 charge of the video camcorder will identify who they are  
14 during a planned use of force. Any planned use of force  
15 under my helm, I don't know what it was prior to me, but  
16 under my helm any planned use of force is videotaped.

17 Q. Why?

18 A. To, A, to make sure the safety of the staff and  
19 safety of the inmates and we capture everything that's  
20 happening or occurring during that time so to keep  
21 everyone true to what happened.

22 Q. And then do you also secure the other security  
23 video from the time, like the cell and the hall video?

24 A. Yes, if we have the capabilities at that time  
25 to save it. Not all cells have cameras, but yes, if we

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1 have the capabilities of saving that camera or that  
2 footage we will, in addition to the video camera.

3 Q. Are you aware that the plaintiffs requested all  
4 the video that might depict what happened in this  
5 incident, including the video in the cell? Were you  
6 aware that we requested this?

7 A. I can't recall if I was aware of that or not.

8 Q. Are you aware that the video in the cell was  
9 provided but video outside of the cell was not provided?

10 A. I was not aware of that, no.

11 Q. Do you know where the video outside of the cell  
12 is?

13 A. I do not, sir, no.

14 Q. You talked a little bit when I was talking to  
15 you before the break about who was outside the cell and  
16 they should have intervened quicker and who was out  
17 there. Would you agree with me that video in the hall or  
18 the area outside of the cell would have showed us a bunch  
19 of that stuff?

20 A. Yes.

21 Q. May be very important to know that stuff to  
22 keep everybody true, or however you said that; is that  
23 fair?

24 A. That's fair.

25 Q. Have you -- do you know anybody or anybody

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1 under your direction conducted any search for that video?

2 A. I believe if the search would have been done it  
3 would have been done through either Ken Seivers or James  
4 Baumgartner.

5 Q. So video is important enough that it's actually  
6 -- you will not do a planned use of force without not  
7 only the security video but an extra cameraman?

8 A. Correct.

9 Q. Was there a -- did they record planned uses of  
10 force with camcorders before you started as well from  
11 time to time?

12 A. Not that I'm aware of, no, I believe not.

13 Q. That was new with you?

14 A. Correct.

15 Q. All right. The prior version of this exhibit I  
16 was just showing you was called the use of force report,  
17 right?

18 A. Correct.

19 Q. And there's other requirements in this use of  
20 force form, including medical staff being notified  
21 beforehand, correct?

22 A. Correct.

23 Q. There's a -- and use of OC spray has to be  
24 approved beforehand, correct?

25 A. Correct.



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1 Q. Got it. And then it also says the cell mate  
2 should have been cleared for OC?

3 A. Correct.

4 Q. Should have been a plan for decontamination,  
5 right?

6 A. Correct.

7 Q. All right. Okay. I'm going to go off the  
8 record again to look at my notes so excuse me while I do  
9 so.

10 (A short break was taken.)

11 Q. (By Mr. Burger) Under your watch, Director  
12 Keen, would that video have been preserved, the hall  
13 video?

14 A. Yes.

15 Q. Are you aware of any investigation about why it  
16 wasn't preserved?

17 A. Which one, sir?

18 Q. The hall video that we never got.

19 A. Oh. The hall video? I do not know why that  
20 was not preserved.

21 Q. Are you aware of anything that the -- now, I  
22 understand, I heard you throughout the day. I understand  
23 this was not on your watch. I understand you took over  
24 almost a year, and you're improving corrections practices  
25 at St. Charles. That being said, are you aware of any